

**THURSDAY, JANUARY 29, 1998**

**FIFTY-NINTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Doctor Roland E. Long, Clark Memorial United Methodist Church, Nashville, Tennessee.

Representative Boner led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present .....92

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; business reasons

Representative Fitzhugh; personal reasons

Representative Williams; business reasons

Representative Garrett; business reasons

Representative Jackson; personal reasons

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 479:** Rep(s). Beavers and Hood as prime sponsor(s).

**House Bill No. 2583:** Rep(s). Pleasant, Scroggs, Davidson, Haley, Miller, Kernell and McDonald as prime sponsor(s).

**House Bill No. 2670:** Rep(s). Odom as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**January 29, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 380, 381, 382, 385, 386, 387, 388, 390, 391 and 392; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 380** -- Memorials, Death - Willie M. Moore. by \*Springer.

**Senate Joint Resolution No. 381** -- Memorials, Professional Achievement - Dr. Carolyn Hopper, Carnegie Foundation's Outstanding Professor in Tennessee. by \*Womack.

**Senate Joint Resolution No. 382** -- Memorials, Academic Achievement - Riverdale High School, champions 29th Knowledge Master Open. by \*Womack.

**Senate Joint Resolution No. 385** -- Memorials, Public Service - 300th Quartermaster Battalion, activated on December 6, 1997. by \*Crowe.

**Senate Joint Resolution No. 386** -- Memorials, Death - William A Bridgforth, Sr., inventor of Mountain Dew. by \*Crowe, \*Kyle.

**Senate Joint Resolution No. 387** -- Memorials, Retirement - Steven H. Rebmann. by \*Crowe.

**Senate Joint Resolution No. 388** -- Memorials, Recognition and Thanks - Fairview Baptist Church, 75th anniversary. by \*Crowe.

**Senate Joint Resolution No. 390** -- Memorials, Professional Achievement - David Davenport, TBI Agent of the Year. by \*Williams.

**Senate Joint Resolution No. 391** -- Memorials, Professional Achievement - Ralph Emerson, 4 million consecutive accident free miles as truck driver. by \*Ramsey.

**Senate Joint Resolution No. 392** -- Naming and Designating - "Peyton Manning Day," March 18, 1998. by \*McNally, \*Cooper, \*Burks, \*Dixon, \*Henry, \*Haynes, \*Kyle, \*Rochelle, \*Springer.

**MESSAGE FROM THE SENATE**  
**January 29, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 454, 455, 457, 458 and 486; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Resolution No. 141** -- Naming and Designating - "Buffalo Soldier Day," February 20, 1998. by \*Bowers, \*Brooks, \*Armstrong, \*DeBerry L, \*Cooper B, \*Jones U (Shelby), \*DeBerry J, \*Miller L, \*Towns, \*Pruitt.

State & Local Government Committee

**\*House Joint Resolution No. 484** -- General Assembly, Studies - Creates special joint committee to study rural road issues. by \*Rinks.

Transportation Committee

**\*House Joint Resolution No. 487** -- General Assembly, Directed Studies - Requests division of state audit of comptroller to conduct performance evaluation of department of children's services. by \*Brown, \*Bowers, \*Cross, \*Cooper B, \*Brooks, \*Armstrong, \*Turner (Shelby), \*Tindell, \*Ritchie.

Children & Family Affairs Committee

**\*House Joint Resolution No. 488** -- General Assembly, Statement of Intent or Position - Urges Tennessee Oilers to abide by contract with Memphis/Shelby County Sports Authority to remain in Liberty Bowl Memorial Stadium for 1998 season. by \*Miller L, \*Bowers, \*DeBerry J, \*Turner (Shelby), \*Scroggs, \*Brooks.

Commerce Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 2, 1998:

**House Joint Resolution No. 490** -- Memorials, Retirement - Sister Elizabeth Stephens. by \*Sands, \*White.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for February 2, 1998:

**Senate Joint Resolution No. 380** -- Memorials, Death - Willie M. Moore. by \*Springer.

**Senate Joint Resolution No. 381** -- Memorials, Professional Achievement - Dr. Carolyn Hopper, Carnegie Foundation's Outstanding Professor in Tennessee. by \*Womack.

**Senate Joint Resolution No. 382** -- Memorials, Academic Achievement - Riverdale High School, champions 29th Knowledge Master Open. by \*Womack.

**Senate Joint Resolution No. 385** -- Memorials, Public Service - 300th Quartermaster Battalion, activated on December 6, 1997. by \*Crowe.

**Senate Joint Resolution No. 386** -- Memorials, Death - William A Bridgforth, Sr., inventor of Mountain Dew. by \*Crowe, \*Kyle.

**Senate Joint Resolution No. 387** -- Memorials, Retirement - Steven H. Rebmann. by \*Crowe.

**Senate Joint Resolution No. 388** -- Memorials, Recognition and Thanks - Fairview Baptist Church, 75th anniversary. by \*Crowe.

**Senate Joint Resolution No. 390** -- Memorials, Professional Achievement - David Davenport, TBI Agent of the Year. by \*Williams.

**Senate Joint Resolution No. 391** -- Memorials, Professional Achievement - Ralph Emerson, 4 million consecutive accident free miles as truck driver. by \*Ramsey.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 2760** -- Regional Authorities - Revises allocation of Giles County's portion of remaining funds distributed to counties following abolition of Tennessee Elk River Authority. Amends Chapter 816 of the Public Acts of 1996. by \*Fowlkes.

**House Bill No. 2761** -- Teachers - Expands number of days of personal and professional leave to which teacher is permitted, based on years of service. Amends TCA Section 49-5-711. by \*Winningham, \*Ferguson.

**House Bill No. 2762** -- Teachers - Provides for concurrence of local board of education in employment of licensed personnel. Amends TCA Section 49-2-203(a). by \*Winningham, \*Williams (Williamson), \*Davidson.



**House Bill No. 2763** -- Teachers - Provides for dismissal of non-tenured licensed personnel; provides for written notice and opportunity for defense. Amends TCA Section 49-2-203(a) and 49-2-301(f). by \*Winningham, \*Williams (Williamson), \*Davidson.

**House Bill No. 2764** -- Teachers - Provides for written notice and opportunity for hearing prior to dismissal of licensed, non-tenured school employees. Amends TCA Section 49-2-301(f). by \*Winningham, \*Williams (Williamson), \*Davidson.

**House Bill No. 2765** -- Teachers - Provides notice and hearing for teachers denied tenure. Amends TCA Section 49-5-409. by \*Winningham, \*Williams (Williamson), \*Davidson.

**House Bill No. 2766** -- DUI/DWI Offenses - Makes conviction for fourth or subsequent DUI offense Class E felony, punishable by fine of \$3,000-\$15,000, imprisonment for minimum of 270 days, and driver license suspension for five years. Amends TCA Title 55, Chapter 10, Part 4. by \*Kent.

**House Bill No. 2767** -- Local Government, General - Abolishes minimum insurance limits established under Governmental Tort Liability Act; permits each entity to purchase insurance to cover risks. Amends TCA Title 29, Chapter 20. by \*Odom.

**House Bill No. 2768** -- Children - Creates Tennessee task force on environmental health risks and safety risks. by \*Brooks, \*Turner (Shelby), \*Jones U (Shelby), \*Pruitt, \*Langster, \*Cooper B, \*Towns, \*Brown, \*DeBerry J.

**House Bill No. 2769** -- State Government - Provides that commissioner will not be provided state-paid legal defense for actions arising from gross negligence of commissioner which result in judgment for damages against state. Amends TCA Title 4, Chapter 4, Part 1. by \*Brooks, \*Jones, S., \*Turner (Shelby), \*Jones U (Shelby), \*Pruitt, \*Langster, \*Cooper B, \*Towns, \*Brown.

**House Bill No. 2770** -- Criminal Offenses - Enhances punishment for arson, aggravated arson and vandalism committed against reproductive health services facility; adds interfering with person obtaining or providing services at reproductive health services facility to offense of civil rights intimidation. Amends TCA Title 39, Chapter 14, Part 3; Title 39, Chapter 14, Part 4 and Section 39-17-309. by \*Jones U (Shelby), \*Langster, \*Brooks.

**House Bill No. 2771** -- Election Laws - Deletes requirement of notice to candidate or committee when person has inspected campaign financial disclosure records. Amends TCA Section 2-10-111. by \*Hargett.

**House Bill No. 2772** -- Bail, Bail Bonds - Makes bounty hunting Class E felony. Amends TCA Title 40, Chapter 11. by \*Buck.

**House Bill No. 2773** -- Fees - Increases certain fees for certain services provided by county registers and the secretary of state. Amends TCA Title 8, Chapter 21 and Title 47, Chapter 9. by \*Buck.

**House Bill No. 2774** -- Local Government, General - Permits part-time municipal employee or official to serve in any other state or local political office of employment. Amends TCA Section 7-51-1501. by \*Buck.

**House Bill No. 2775** -- Water - Requires water quality control board to establish notification registry to ensure any affected member of public notified ten days before any public hearing conducted on proposed board action. Amends TCA Title 69, Chapter 3. by \*Buck.

**House Bill No. 2776** -- Law Enforcement - Requires, before purchasing fingerprint equipment with fine and forfeiture money, local law enforcement to receive certification from TBI that such equipment is compatible with equipment of other agencies. Amends TCA Title 39, Chapter 17. by \*Buck.

**House Bill No. 2777** -- Taxes, Litigation - Imposes additional \$1.00 privilege tax on each criminal case involving taking of fingerprints. Amends TCA Title 67, Chapter 4. by \*Buck.

**House Bill No. 2778** -- Courts, Administrative Office of the - Creates judicial information system advisory committee. Amends TCA Title 16, Chapter 3, Part 8. by \*Rhinehart.

**House Bill No. 2779** -- Insurance, Health, Accident - Revises requirements concerning overinsurance; defines "earned income" and "overinsurance." Amends TCA Section 56-26-109. by \*Walker, \*Wood.

**\*House Bill No. 2780** -- Highway Signs - "Thomas M. Burnett Memorial Bridge," S.R.68 in Rhea County. by \*Walker.

**House Bill No. 2781** -- Mental Illness - Subject to local approval, expands jurisdiction to probate and general session court in Shelby County; permits in any county county clerk to communicate by fax with facility superintendent. Amends TCA Title 33. by \*Chumney.

**House Bill No. 2782** -- Adoption - Sets up counseling for certain adoption contact veto information recipients at discretion of department of children's services. Amends TCA Title 36, Chapter 1. by \*Chumney.

**House Bill No. 2783** -- Hospitals and Health Care Facilities - Revises provisions concerning residential hospitals to include HIV care; creates category of residential HIV supportive living facility. Amends TCA Title 68, Chapter 11, Part 2. by \*Chumney.

**House Bill No. 2784** -- Adoption - Establishes advance notice procedures for adoption contact veto registry. Amends TCA Title 36, Chapter 1. by \*Chumney.

**House Bill No. 2785** -- State Employees - Authorizes sick leave use for state and local government employees who have power of attorney for non-biologically related relative; requires documentation of such power of attorney. Amends TCA Title 8, Chapter 50, Part 8. by \*Chumney.

**House Bill No. 2786** -- Driver Licenses - Allows for issuance of restricted license for driver involved in, but not responsible for, accident involving personal injury or property damage. Amends TCA Title 55, Chapter 50, Part 5. by \*Eckles.

**House Bill No. 2787** -- Tennessee Wildlife Resources Agency - Authorizes executive director to establish agent fee, through competitive bidding contract procedures, for sale of licenses, permits and stamps by telephone or other electronic means. Amends TCA 70-2-106(b). by \*Cross.

**House Bill No. 2788** -- Boats, Boating - Exempts from personal flotation device requirements, sailboats and motorboats adrift in reservoirs with insignificant current. Amends TCA §69-10-225. by \*Cross.

**House Bill No. 2789** -- Wildlife Resources Commission - Authorizes commission to create rules and establish fees for operation of agency sport firing ranges; directs funds from ranges to be used for hunter education facilities. NOTE: Caption does not contain reference to "TCA." Amends Title 70, Chapter 2, Part 2. by \*Cross.

**House Bill No. 2790** -- Game and Fish Laws - Raises penalties for certain offenses; authorizes use of forfeited property in fish and wildlife programs. Amends TCA Section 70-4-102(c); Section 70-4-201(d); Section 70-6-202(b) and Title 70, Chapter 1, Part 1. by \*Cross.

**House Bill No. 2791** -- Statutes - Replaces references to "senate energy and natural resources committee" with present committee name of "senate environment, conservation and tourism committee." Amends TCA Section 4-3-1108; Section 11-4-201; Section 11-14-308; Section 67-4-409 and Section 70-1-201. by \*Cross.

**House Bill No. 2792** -- Business and Commerce - Authorizes local governmental entities to require reports and pawn tickets and to hold merchandise for a period of more than 20 days; authorizes law enforcement to charge fee for processing reports and pawn tickets. Amends TCA Title 45, Chapter 6. by \*Kent.

**House Bill No. 2793** -- Codes - Removes exemption for one and two family dwellings from state building construction standards. Amends TCA Title 68, Chapter 120, Part 1. by \*Dunn.

**House Bill No. 2794** -- Business and Commerce - Purports to regulate second-handed property dealers, but contains no substantive provisions. Amends TCA Title 45, Chapter 6. by \*Scroggs.

**\*House Bill No. 2795** -- Water Pollution - Classifies Conasauga River in Polk County as Tier II waters; prohibits designating such waters as outstanding national resource waters or Tier III waters. Amends TCA Title 69, Chapter 3, Part 1. by \*Newton.

**House Bill No. 2796** -- School Transportation - Increases from Class C to Class B misdemeanor punishment for failing to stop upon approaching school bus when its stop arm extended. Amends TCA Title 49 and Title 55. by \*Beavers, \*Bone.

**House Bill No. 2797** -- Taxes - Requires standard exemption amount allowable for gifts to Class A donees to increase each year by same amount, if any, that federal annual exclusion amount for gifts increases. Amends TCA Title 67, Chapter 8, Parts 1, 3 and 4 and Section 67-8-104. by \*Fowlkes.

**\*House Bill No. 2798** -- Huntingdon - Subject to local approval, authorizes hotel/motel tax. by \*Maddox.

**House Bill No. 2799** -- Custody and Support - Makes certain changes in terminology. Amends TCA Section 49-6-3001. by \*Maddox.

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**House Bill No. 2800** -- Managed Care Organizations - Gives MCOs and HMOs duty to exercise ordinary care in making health care treatment decisions Amends TCA Title 63. by \*Odom.

**\*House Bill No. 2801** -- County Government - Provides that qualifications for chief administrative officer of Cannon County highway department is four years experience in supervisory capacity in highway construction or maintenance or related field Amends TCA Title 54, Chapter 7, Part 1. by \*Buck.

**House Bill No. 2802** -- Products Liability - Removes ten year statute of repose in product cases; makes product cases subject to standard statute of limitations Amends TCA Title 29, Chapter 28. by \*Buck.

**House Bill No. 2803** -- Workers' Compensation - Revises workers' compensation statutes. by \*Kisber.

**House Bill No. 2804** -- Taxes, Sales - Removes tax exemption from petroleum tax on aviation fuel; removes reduced sales tax rate on such fuel Amends TCA Title 67, Chapter 3 and Title 67, Chapter 6. by \*Kisber.

**House Bill No. 2805** -- Workers' Compensation - Authorizes notification of employee's injury to employer or employer's workers' compensation carrier. Amends TCA Title 50. by \*Kisber.

**House Bill No. 2806** -- Insurance Companies, Agents, Brokers - Authorizes licensed property or casualty agent to charge fee to insured in addition to premium if fee is separately disclosed on invoice or billing statement; requires department of commerce and insurance to promulgate rules for implementation in uniform and equitable manner. Amends TCA Section 56-6-149. by \*Kisber.

**House Bill No. 2807** -- Workers' Compensation - Prohibits additional charges during term of policy resulting from endorsement to policy using recalculated modification factor. Amends TCA Title 50, Chapter 6, Part 4 and Title 56. by \*Kisber.

**House Bill No. 2808** -- Local Education Agency - Allows local education agency to deny enrollment to student suspended or expelled from another agency in this or another state. Amends TCA Section 49-6-3401. by \*Davis R, \*Whitson, \*Davidson.

**House Bill No. 2809** -- Funeral Directors and Embalmers - Requires funeral directors and embalmers to obtain ten hours of continuing education in mortuary science before renewing licenses; sets requirements for offering continuing education courses. Amends TCA Section 62-5-601(d). by \*Davis R.

**House Bill No. 2810** -- Education, Dept. of - Abolishes Tennessee State Special School Teachers' Sick Leave Bank Act; includes all employees and teachers at state special schools in general state employees sick leave bank. CAVEAT: Caption purports to amend TCA Title 8, Chapter 55, Part 9; bill amends TCA Title 8-50-901 and 8-50-905. Amends TCA Title 8, Chapter 55, Part 9. Repeals Title 49, Chapter 50, Part 11. by \*Davis R, \*Clabough.

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**House Bill No. 2811** -- Teachers - Allows first year teachers, as of 6/13/97, to enter career level I upon attainment of necessary years of experience. Amends TCA Title 49, Chapter 5, Parts 50 -- 55. by \*Davis R, \*Windle, \*Huskey, \*Williams (Williamson), \*Ridgeway, \*Kisber, \*Givens, \*Stulce, \*Caldwell, \*Ferguson.

**House Bill No. 2812** -- Education - Requires children entering kindergarten to be five years of age by 7/31, rather than present date of 9/30. Amends TCA Section 49-6-201(b). by \*Rinks, \*Wood, \*Cole (Dyer).

**House Bill No. 2813** -- Minors, 12-18 - Creates offense of selling or renting to minors materials labeled with parental advisory language; punishable as Class A misdemeanor by fine only Amends TCA Title 39, Chapter 17. by \*DeBerry L, \*DeBerry J.

**House Bill No. 2814** -- Pensions and Retirement Benefits - Makes teachers eligible for retirement after 25, rather than 30, years of creditable service. Amends TCA Title 8, Chapter 36. by \*DeBerry L, \*Bowers, \*DeBerry J.

**House Bill No. 2815** -- Contractors - Permits certification by Professional Association of Home Inspectors for inspection authorization Amends TCA Title 62, Chapter 6, Part 3. by \*Garrett.

**House Bill No. 2816** -- Insurance, Health, Accident - Establishes special advisory commission on mandated health insurance benefits Amends TCA Title 56, Chapter 7. by \*Rhinehart, \*Phelan, \*Williams (Williamson), \*Kisber, \*Cole (Dyer), \*McAfee, \*Haley, \*McDaniel.

**House Bill No. 2817** -- Pardons and Paroles - Extends provision relative to number of board members it takes to parole or revoke parole to offenses that were repealed on 11/1/89. Amends TCA Section 40-28-105. by \*Boner.

**House Bill No. 2818** -- Historical Sites - Establishes certain criteria for construction on or adjacent to historic properties or buildings Amends TCA Title 13, Chapter 7. by \*Boner.

**House Bill No. 2819** -- Criminal Procedure - Expands grounds for arrest by officer without warrant; clarifies definitional terms in criminal code concerning "alcoholic beverages" Amends TCA Title 39, Chapter 17, Part 7 and Title 40, Chapter 7, Part 1. by \*McDaniel, \*Kisber.

**House Bill No. 2820** -- Taxes, Motor Vehicle - Increases from 2 to 4 percent surcharge for retail rental of private passenger motor vehicle for 31 days or less. Amends TCA Title 67, Chapter 4, Part 19. by \*Kisber.

**House Bill No. 2821** -- Taxes, Franchise - Extends deduction against the franchise tax for closely affiliated companies having inter-company indebtedness. Amends TCA Section 67-4-905. by \*Hood, \*Eckles.

**House Bill No. 2822** -- Motor Vehicles - Authorizes department of safety to test applicants for reinstated or original motorcycle operator license for knowledge of motorcycle skills and requirements. Amends TCA Section 55-51-107. by \*Hood, \*Burchett, \*Robinson, \*Tidwell.

**House Bill No. 2823** -- Custody and Support - Provides that interest on child support arrearages be computed on basis of compounded rather than simple interest. Amends TCA Section 36-5-101; Section 47-14-121 and Section 47-14-123. by \*Hood, \*Eckles, \*McMillan.

**House Bill No. 2824** -- Domestic Violence - Increases expiration period of ex parte orders of protection from ten to 15 days. Amends TCA Section 36-3-604 and Section 36-3-605. by \*Hood, \*Eckles, \*Sands, \*McMillan, \*Buck, \*Tidwell.

**House Bill No. 2825** -- Adoption - Allows teacher to use sick leave for adoption purposes on same basis as sick leave is used for pregnancies. Amends TCA Section 49-5-710. by \*Hood, \*Eckles, \*Davidson, \*Maddox, \*Fraleigh.

**House Bill No. 2826** -- Motor Vehicles - Revises notice to be placed on motor vehicle when odometer is repaired or replaced and mileage cannot remain the same. Amends TCA Section 39-14-132. by \*Eckles.

**House Bill No. 2827** -- Municipal Government - Allows municipalities to create geographic information systems and to sell information from them to the public. Amends TCA Title 7. by \*Bowers.

**House Bill No. 2828** -- Codes - Provides for adoption by state fire marshal and local governments of building codes suitable for historic structures. Amends TCA Title 68, Chapter 120. by \*Bowers.

**House Bill No. 2829** -- Environmental Preservation - Authorizes employees of department of environment and conservation to issue citations. Amends TCA Section 40-7-118 and Title 68. by \*Bowers.

**House Bill No. 2830** -- Water Pollution - Applies discharge permit requirements to concentrated animal feeding operations; defines "concentrated animal feeding operations." Amends TCA Title 68 and Title 69, Chapter 3. by \*Bowers.

**House Bill No. 2831** -- Taxes, Sales - Removes sales tax liability for retail purchases of less than \$5,000 on April 15, 1998; requires commissioners of revenue, health and human services to report on overall impact of such temporary sales tax exemption. Amends TCA Title 67, Chapter 6. by \*Bowers, \*Brooks, \*Armstrong, \*DeBerry L, \*Cooper B, \*Jones U (Shelby), \*Miller L, \*Davis R, \*Pruitt.

**House Bill No. 2832** -- Courts - Enacts "Civil Justice Reform Act of 1998." by \*Buck.

**House Bill No. 2833** -- Insurance Companies, Agents, Brokers - Restricts timing of enforcement of subrogation rights; prohibits party exercising subrogation right from receiving more dollars than injured party after payment of legal fees. by \*McMillan.

**House Bill No. 2834** -- Tobacco, Tobacco Products - Makes illegal sale or use of tobacco products civil offense punishable by fine. Amends TCA Title 39, Chapter 17. by \*Jackson.

**House Bill No. 2835** -- Smoking - Creates Class C misdemeanor punishable by \$25.00 fine to smoke in state building or within 25 feet of primary public entrance way. Amends TCA Section 4-4-121. by \*Jackson.

**House Bill No. 2836** -- Victims Rights - Requires victims of violent crime involving serious bodily injury or death of family member to be notified by district attorney of plea bargaining discussions and agreements prior to their acceptance by court. Amends TCA Title 40, Chapter 38, Part 1. by \*McMillan.

**House Bill No. 2837** -- Dentists - Prescribes advertising standards and requirements for dental referral services. Amends TCA Title 63, Chapter 5. by \*McMillan.

**House Bill No. 2838** -- State Employees - Prohibits termination of state employee for filing worker compensation claim; permits reinstatement, back pay and recovery of attorney fees Amends TCA Title 9, Chapter 8, Part 3. by \*Chumney.

**House Bill No. 2839** -- Alcoholic Beverages - Permits automated or self service at commercial airline travel clubs. Amends TCA Section 57-4-203(m). by \*Pleasant.

**House Bill No. 2840** -- Contractors - Authorizes local governments to suspend licenses of contractors who commit repeated violations of local building codes Amends TCA Title 62, Chapter 6. by \*Miller L.

**House Bill No. 2841** -- Motor Vehicles, Titling and Registration - Increases from Class C misdemeanor to Class E felony and requires revocation of license if motor vehicle dealer fails to timely deliver title to person lawfully entitled to title; prohibits dealer from assessing additional fees in certain circumstances. Amends TCA Title 55, Chapter 17, Part 1 and Section 55-3-127. by \*Arriola.

**House Bill No. 2842** -- TennCare - Requires development of comprehensive long-term care for elderly and disabled; revises medical assistance statutes concerning home and community based services and nursing home funding. Amends TCA Title 71. by \*Arriola.

**House Bill No. 2843** -- Medicaid and Medicare - Requires development of plan concerning long-term care; revises Medicaid funding for such services. Amends TCA Title 71. by \*Arriola.

**House Bill No. 2844** -- TennCare - Imposes civil penalty of not more than 5 percent of amount in controversy on chief executive officer of any corporation which commits violation of Tennessee False Health Care Claims Act or Tennessee Medicaid False Claims Act. Amends TCA Title 56, Chapter 26, Part 4 and Title 71, Chapter 5, Part 1. by \*Arriola.

**House Bill No. 2845** -- Taxes, Sales - Repeals sales and use tax credit given for location of corporate headquarters by TCA 67-6-224. - Repeals TCA Section 67-6-224. by \*Arriola.

**House Bill No. 2846** -- Aged Persons - Funds home and community based care alternatives for aged persons with settlement funds from state False Claims Act and federal health care fraud enforcement activity. Amends TCA Title 71, Chapter 5. by \*Arriola.

**House Bill No. 2847** -- Motor Vehicles - Prohibits motor vehicle dealers located in counties that require emissions tests from selling certain motor vehicles that have not been issued current certificate of compliance for emissions test. Amends TCA Title 55, Chapter 17. by \*Arriola.

**House Bill No. 2848** -- Liens - Requires notification to landowner prior to removing overgrown vegetation to be by certified mail, return receipt requested; gives landowner 90 days instead of ten to clear property before action taken by local government. Amends TCA Section 5-1-115 and Title 13, Chapter 21, Part 1. by \*Arriola.

**\*House Bill No. 2849** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for Tennessee Democratic Party Amends TCA Title 55, Chapter 4. by \*Arriola.

**House Bill No. 2850** -- Traffic Safety - Raises required age for wearing bicycle helmets from 12 to 16. Amends TCA Title 55, Chapter 52. by \*Arriola.

**House Bill No. 2851** -- Employees, Employers - Gives tax credit of \$2,000 or 10 percent of wages to employer for apprentice employees working more than 1,400 hours during income year; permits employer to add hours of two or more apprentices to reach minimum hours required for tax credit. Amends TCA Title 67, Chapter 4, Part 9. by \*Arriola.

**\*House Bill No. 2852** -- Aged Persons - Establishes pilot project for frail elderly in two counties. Amends TCA Title 71. by \*Arriola.

**House Bill No. 2853** -- TennCare - Diverts 5 percent of Medicaid nursing home funds to establish program which funds home, community-based, and other alternative care to nursing homes. Amends TCA Title 71, Chapter 5, Part 1. by \*Arriola.

**House Bill No. 2854** -- Liens - Removes right to lien if garagekeeper fails to notify rental company within 24 hours of towing vehicle; further trier of fact may infer that garagekeeper has committed offense of theft if fails to notify rental company. Amends TCA Title 55, Chapter 16, Part 1 and Title 66, Chapter 19, Part 1. by \*Arriola.

**\*House Bill No. 2855** -- Business and Commerce - Restricts businesses from requiring all employees to have salary paid by direct deposit unless certain requirements met. Amends TCA Title 47, Chapter 50. by \*Head.

#### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2624** -- Contractors -- House Government Operations Committee

**House Bill No. 2625** -- Taxes, Sales -- House State & Local Government Committee

**House Bill No. 2626** -- Local Education Agency -- House Education Committee

**House Bill No. 2627** -- Judges and Chancellors -- House Judiciary Committee

**House Bill No. 2628** -- Safety -- House Commerce Committee

**House Bill No. 2629** -- Purchasing -- Caption Bill Held on House Desk



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**House Bill No. 2630** -- Juries and Jurors -- House Judiciary Committee

**House Bill No. 2631** -- Bond Issues -- House Conservation & Environment Committee

**House Bill No. 2632** -- Education -- House Education Committee

**House Bill No. 2633** -- Private Protective Services -- House Judiciary Committee

**House Bill No. 2634** -- Private Protective Services -- House Judiciary Committee

**House Bill No. 2635** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2636** -- Alcoholic Beverages -- House Judiciary Committee

**House Bill No. 2637** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2638** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2639** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2640** -- Firearms and Ammunition -- House Judiciary Committee

**House Bill No. 2641** -- Private Protective Services -- House Judiciary Committee

**House Bill No. 2642** -- Metropolitan Government -- House State & Local Government Committee

**House Bill No. 2643** -- Victims Rights -- House Judiciary Committee

**House Bill No. 2644** -- Motor Vehicles -- House Commerce Committee

**House Bill No. 2645** -- Juries and Jurors -- House Judiciary Committee

**House Bill No. 2646** -- Private Protective Services -- House Judiciary Committee

**House Bill No. 2647** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2648** -- Private Protective Services -- House Commerce Committee

**House Bill No. 2649** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2650** -- Polygraph -- House Commerce Committee

**House Bill No. 2651** -- Unemployment Compensation -- House Consumer & Employees Affairs Committee

**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

**House Bill No. 2652** -- Health -- Caption Bill Held on House Desk

**House Bill No. 2653** -- Medicine, Practice of -- Caption Bill Held on House Desk

**House Bill No. 2654** -- Taxes, Real Property -- House State & Local Government Committee

**House Bill No. 2655** -- Taxes, Real Property -- House State & Local Government Committee

**House Bill No. 2656** -- Public Records -- House Judiciary Committee

**House Bill No. 2657** -- DUI/DWI Offenses -- House Judiciary Committee

**House Bill No. 2658** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2659** -- Financial Disclosure -- House State & Local Government Committee

**House Bill No. 2660** -- Water Pollution -- House Conservation & Environment Committee

**House Bill No. 2661** -- Credit Cards -- House Consumer & Employees Affairs Committee

**House Bill No. 2662** -- General Assembly -- Caption Bill Held on House Desk

**House Bill No. 2663** -- Contractors -- House Government Operations Committee

**House Bill No. 2664** -- Credit Cards -- House Consumer & Employees Affairs Committee

**\*House Bill No. 2665** -- Financial Disclosure -- House State & Local Government Committee

**House Bill No. 2666** -- Anatomical Gifts -- House Health & Human Resources Committee

**House Bill No. 2667** -- Environment and Conservation, Department of -- House Conservation & Environment Committee

**House Bill No. 2668** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2669** -- Federal Aid -- House State & Local Government Committee

**House Bill No. 2670** -- Licenses -- House Commerce Committee

**House Bill No. 2671** -- Correctional Programs -- House State & Local Government Committee

**House Bill No. 2672** -- Juries and Jurors -- House Judiciary Committee

**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

**House Bill No. 2673** -- Alcoholic Beverages -- House State & Local Government Committee

**House Bill No. 2674** -- Marriage -- House Children and Family Affairs Committee

**House Bill No. 2675** -- Game and Fish Laws -- House Conservation & Environment Committee

**House Bill No. 2676** -- Corporations -- House Judiciary Committee

**House Bill No. 2677** -- State Prisoners -- House State & Local Government Committee

**House Bill No. 2678** -- Knox County -- Local Bill Held on House Desk

**House Bill No. 2679** -- Criminal Offenses -- House Transportation Committee

**House Bill No. 2680** -- Election Laws -- House State & Local Government Committee

**House Bill No. 2681** -- General Services, Dept. of -- House Government Operations Committee

**House Bill No. 2682** -- Appeal and Review -- House State & Local Government Committee

**House Bill No. 2683** -- Fiduciaries -- House Judiciary Committee

**House Bill No. 2684** -- Motor Vehicles, Titling and Registration -- House Judiciary Committee

**House Bill No. 2685** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

**House Bill No. 2686** -- Professions and Occupations -- Small Business of COM

**House Bill No. 2687** -- Taxes -- Caption Bill Held on House Desk

**House Bill No. 2688** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2689** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

**House Bill No. 2690** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**House Bill No. 2691** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**House Bill No. 2692** -- Business and Commerce -- Caption Bill Held on House Desk

**House Bill No. 2693** -- Insurance, Health, Accident -- Caption Bill Held on House Desk

**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

**House Bill No. 2694** -- Judges and Chancellors -- House Judiciary Committee

**House Bill No. 2695** -- Taxes, Privilege -- Caption Bill Held on House Desk

**House Bill No. 2696** -- Utilities, Utility Districts -- Caption Bill Held on House Desk

**House Bill No. 2697** -- Taxes, Personal Property -- Caption Bill Held on House Desk

**House Bill No. 2698** -- State Government -- House Government Operations Committee

**House Bill No. 2699** -- General Assembly -- House State & Local Government Committee

**\*House Bill No. 2700** -- State Government -- House State & Local Government Committee

**\*House Bill No. 2701** -- Custody and Support -- House Children and Family Affairs Committee

**House Bill No. 2702** -- Custody and Support -- House Children and Family Affairs Committee

**House Bill No. 2703** -- Taxes, Sales -- House Health & Human Resources Committee

**House Bill No. 2704** -- Alcoholic Beverages -- House State & Local Government Committee

**House Bill No. 2705** -- Safety, Dept. of -- Caption Bill Held on House Desk

**House Bill No. 2706** -- Taxes, Sales -- House Finance, Ways & Means Committee

**House Bill No. 2707** -- Elkton -- Local Bill Held on House Desk

**House Bill No. 2708** -- Business Organizations -- Caption Bill Held on House Desk

**House Bill No. 2709** -- Highway Signs -- House Transportation Committee

**House Bill No. 2710** -- DUI/DWI Offenses -- House Judiciary Committee

**House Bill No. 2711** -- Education, Higher -- House Finance, Ways & Means Committee

**House Bill No. 2712** -- Hazardous Materials -- House Government Operations Committee

**House Bill No. 2713** -- Chiropractors -- House Health & Human Resources Committee

**House Bill No. 2714** -- Tobacco, Tobacco Products -- House Agriculture Committee

**House Bill No. 2715** -- Hospitals and Health Care Facilities -- House Government Operations Committee

**House Bill No. 2716** -- Medicine, Practice of -- Caption Bill Held on House Desk

**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

**House Bill No. 2717** -- Uniform Commercial Code -- House Judiciary Committee

**House Bill No. 2718** -- Privacy, Confidentiality -- House Health & Human Resources Committee

**House Bill No. 2719** -- Child Abuse -- House Children and Family Affairs Committee

**House Bill No. 2720** -- Business and Commerce -- House Government Operations Committee

**House Bill No. 2721** -- Consumer Protection -- House Commerce Committee

**House Bill No. 2722** -- Workers' Compensation -- House Consumer & Employees Affairs Committee

**House Bill No. 2723** -- Utilities, Utility Districts -- House State & Local Government Committee

**House Bill No. 2724** -- Utilities, Utility Districts -- House State & Local Government Committee

**\*House Bill No. 2725** -- Liens -- Caption Bill Held on House Desk

**House Bill No. 2726** -- Taxes, Personal Property -- House Finance, Ways & Means Committee

**House Bill No. 2727** -- Insurance, Health, Accident -- House Commerce Committee

**\*House Bill No. 2728** -- Telecommunications -- House Commerce Committee

**House Bill No. 2729** -- Financial Disclosure -- House State & Local Government Committee

**House Bill No. 2730** -- Public Records -- House Judiciary Committee

**\*House Bill No. 2731** -- Bail, Bail Bonds -- House Judiciary Committee

**House Bill No. 2732** -- Tort Liability -- House Judiciary Committee

**House Bill No. 2733** -- Paternity -- House Health & Human Resources Committee

**House Bill No. 2734** -- Juvenile Offenders -- House Children and Family Affairs Committee

**House Bill No. 2735** -- Sunset Laws -- House Consumer & Employees Affairs Committee

**House Bill No. 2736** -- Courts, General Sessions -- House Judiciary Committee

**House Bill No. 2737** -- Taxes -- House Conservation & Environment Committee

**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

**House Bill No. 2738** -- Emergency Communications Districts -- House State & Local Government Committee

**House Bill No. 2739** -- Taxes -- House State & Local Government Committee

**House Bill No. 2740** -- Telecommunications -- House Commerce Committee

**House Bill No. 2741** -- Surveyors -- Caption Bill Held on House Desk

**House Bill No. 2742** -- Landlord and Tenant -- Caption Bill Held on House Desk

**House Bill No. 2743** -- Cemeteries -- House Commerce Committee

**House Bill No. 2744** -- Motor Vehicles, Titling and Registration -- House Government Operations Committee

**House Bill No. 2745** -- Tennessee Regulatory Authority -- Caption Bill Held on House Desk

**House Bill No. 2746** -- Utilities, Utility Districts -- House State & Local Government Committee

**House Bill No. 2747** -- Taxes, Gasoline, Petroleum Products -- House Transportation Committee

**House Bill No. 2748** -- Teachers -- House Education Committee

**House Bill No. 2749** -- Trademarks and Trade Names -- Caption Bill Held on House Desk

**House Bill No. 2750** -- Teachers -- House Education Committee

**\*House Bill No. 2751** -- Highway Signs -- House Transportation Committee

**House Bill No. 2752** -- Fiscal Review Committee -- House Finance, Ways & Means Committee

**House Bill No. 2753** -- Alcoholic Beverages -- House State & Local Government Committee

**House Bill No. 2754** -- Traffic Safety -- House Transportation Committee

**House Bill No. 2755** -- Hamilton County -- House Judiciary Committee

**House Bill No. 2756** -- Urban Affairs -- Caption Bill Held on House Desk

**House Bill No. 2757** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 2758** -- Custody and Support -- House Children and Family Affairs Committee

**House Bill No. 2759** -- District Attorneys -- House Commerce Committee

### REPORTS FROM STANDING COMMITTEES

The committees that met on **January 29, 1998**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **February 2, 1998**: House Bill(s) No(s). 2050, 2051, 2062 and 2068.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **February 2, 1998**: House Bill(s) No(s). 2053, 2054, 2064, 2065, 2067, 2069, 2232 and Senate Joint Resolution No. 35.

#### CONSENT CALENDAR

**House Resolution No. 139** -- Memorials, Recognition and Thanks - Whitehaven Baptist Church, Memphis, 150th anniversary. by \*Scroggs.

**House Resolution No. 140** -- Memorials, Retirement - Reverend James F. Marquis, Jr. by \*Turner (Ham), \*Eckles, \*Tidwell, \*McAfee, \*Stulce, \*Wood, \*Sharp.

**House Joint Resolution No. 474** -- Memorials, Retirement - William Collin Hand, Department of Correction. by \*Sands.

**House Joint Resolution No. 475** -- Memorials, Death - William Clifford Parsons, Sr. by \*Sands.

**House Joint Resolution No. 478** -- Memorials, Death - Frank Freeman Sowell. by \*Sands.

**House Joint Resolution No. 479** -- Memorials, Sports - 1997 Riverdale High School football team, TSSAA, Division 1, Class 5-A state champion. by \*Eckles.

**House Joint Resolution No. 480** -- Memorials, Professional Achievement - Dr. James King, Tennessee Academy of Family Physicians 1997 Family Practice Physician of the Year. by \*Rinks.

**House Joint Resolution No. 482** -- Memorials, Sports - Brentwood High School girls soccer team, TSSAA Class AAA State Champions for 1997. by \*Sargent.

**House Joint Resolution No. 483** -- Memorials, Sports - 1997-1998 Brentwood High School cheerleaders. by \*Sargent.

**House Joint Resolution No. 485** -- Memorials, Professional Achievement - Dr. Gregory D. Jordan, 21st President, King College, Bristol. by \*Mumpower.

**Senate Joint Resolution No. 376** -- Memorials, Sports - Peyton Manning. by \*Gilbert, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Wornack.

**Senate Joint Resolution No. 377** -- Memorials, Death - Johnny Fandrich, Jr. by \*Cooper.

**Senate Joint Resolution No. 378** -- Memorials, Professional Achievement - Chattanooga Bar Association, 100th Anniversary. by \*Fowler, \*Crutchfield, \*Kyle.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....91  
Noes .....0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

## UNFINISHED BUSINESS

### RULES SUSPENDED

Rep. McAfee moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 400 out of order, which motion prevailed.

**Senate Joint Resolution No. 400** -- Memorials, Personal Occasion - Mrs. Eva Karstaedt-100th Birthday. by \*Fowler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McAfee, with the request that all members voting aye be added as sponsors, the resolution was concurred in by the following vote:

Ayes .....91  
Noes .....0



**THURSDAY, JANUARY 29, 1998 -- FIFTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 384 out of order, which motion prevailed.

**Senate Joint Resolution No. 384** -- General Assembly, Joint Conventions - Budget Address by Governor Sundquist, February 2, 1998, by \*Atchley, \*Crutchfield.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

**BILLS WITHDRAWN**

On motion of Rep. Buck, **House Bill No. 2774** was withdrawn from the House.

**ENGROSSED BILLS  
January 29, 1998**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 474, 475, 478, 479, 480, 482, 483 and 485.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS  
January 29, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 454, 455, 457, 458 and 486; also, House Resolution(s) No(s). 139 and 140.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**  
**January 29, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, 454, 455, 457, 458 and 486; also, House Resolution(s) No(s). 139 and 140.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**CONSENT CALENDAR**  
**January 29, 1998**

The following local bills have been placed on the Consent Calendar for **February 2, 1998**: House Bill(s) No(s). 2045, 2046, 2047, 2197, 2233 and 2288.

**ROLL CALL**

The roll call was taken with the following results:

Present .....91

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 5:00 p.m., Monday, February 2, 1998.